

JUL 28 2006

Remarks:

The above amendments and these remarks are responsive to the Office action dated May 3, 2006. Reconsideration and allowance of the present application is requested in view of the following.

I. Drawings

The Office Action objected to the drawings. In response, Applicants are amending the claims to not recite "a member that extends non-radially from roller". As such, Applicants submit that the objection to the drawings is overcome. Withdrawal of this objection is requested.

II. Rejections under 35 USC § 112

The Office Action rejected claims 1-10, 21-23 and 25 under 35 USC § 112, second paragraph.

With respect to claims 1, 7, and 21, the Office Action alleged that the language "a member extending non-radially from the roller" was unclear. These claims have been amended to not recite this language.

Further, Applicants are amending claim 7 to cancel the language "the roller". As such, Applicants submit that these rejections are overcome. Withdrawal of the rejections under 35 USC § 112, second paragraph is requested.

III. Rejections under 35 USC § 102**A. The Jensen Reference**

Claims 1-5, 13, 15-17, 21-23, and 25 are rejected under 35 USC § 102(b) as anticipated by U.S. Patent No. 3,981,496 to Jensen et al. ("Jensen").

Claim 1 is amended to recite "carrying a trailing edge of the sheet medium upward and then over the roller with a member that has a bent configuration...." Applicants submit that this feature is not disclosed by Jensen. Jensen discloses elements 8, which do not have a bent configuration. Consequently, Jensen does not anticipate claim 1 as amended. Withdrawal of this rejection is requested.

Claims 2-5 depend upon claim 1 and are allowable for at least the same reasons claim 1 is allowable. Withdrawal of these rejections is requested.

Claim 13 is amended to recite "a resilient member having convex and concave sides connected to the rotatable member." Applicants submit that Jensen does not disclose this feature. Indeed, the sides of the Jensen elements 8 are not convex and concave. Withdrawal of this rejection of claim 13 is requested.

Claims 15-17 are depend upon claim 13 and are therefore allowable for at least the same reasons claim 13 is allowable. Withdrawal of these rejections is requested.

Claim 21 is amended to recite "wherein the at least one resilient finger includes a proximal portion that extends radially from the roller and a distal portion that extends non-radially from the body." Applicants submit that the Jensen elements do not include such proximal and distal portions. Indeed, the Jensen elements 8 do not include distal portions that extend non-radially. As such, Izumi does not anticipate claim 21. Withdrawal of this rejection is requested

Claims 22, 23, and 25 depend upon claim 21 and are allowable for at least the same reasons claim 21 is allowable. Withdrawal of these rejections is requested.

B. The Izumi Reference

Claims 21, 22, 24, and 25 stand rejected are rejected under 35 USC § 102(b) as anticipated by Izumi.

Claim 21 is amended to recite "Claim 21 is amended to recite "wherein the at least one resilient finger includes a proximal portion that extends radially from the roller and a distal portion that extends non-radially from the body." Applicants submit that the Izumi finger 20a does not include such proximal and distal portions. Indeed, the fingers 20a of Izumi do not extend radially. As such, Izumi does not anticipate claim 21. Withdrawal of this rejection is requested.

Claim 24 is amended to recite "the resilient finger configured to vertically lift the print medium." Applicants submit that Izumi does not teach this feature. Indeed, the Izumi finger 20a does not "vertically lift" a print medium and, as such, Izumi does not anticipate claim 21 as amended. Withdrawal of this rejection is requested.

Claims 22, 23, and 25 depend upon claim 21 and are allowable for at least the same reasons claim 21 is allowable. Withdrawal of these rejections is requested.

IV. Rejections under 35 USC § 103

Claims 6-10, 18-20, and 27 are rejected under 35 USC § 103 as being unpatentable over Harvey in view of Jensen. Applicants traverse these rejections as applied to the claims as amended.

Claim 6 depends upon claim 1 and is allowable for at least the same reasons claim 1 is allowable.

Claim 7 is amended to recite "carrying a trailing edge of the sheet medium along an arcuate path extending upward with a roller having protrusion that includes a radially-extending base and a non-radially extending tip." Neither Jensen nor Harvey disclose such a protrusion. As such, since neither Jensen nor Harvey teach this feature, claim 7 is allowable over these references. Withdrawal of this rejection is requested.

Claims 8-10 depend upon claim 7 and are allowable for at least the same reasons claim 7 is allowable. Withdrawal of these rejections is requested.

Claims 18-20 depends on claim 13 and are allowable for at least the same reasons as claim 13. Withdrawal of these rejections is requested.

Claim 27 is cancelled, thus rendering moot the rejection thereof.

V. Conclusion

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16 1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date

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